

IAP10 Rec'd PCT/PTO 16 NOV 2005

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PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICES

In re Application of: Paukov  
Application No.: 10/523,109  
PCT Appln. No.: PCT/CA03/00927  
Int. Filing Date: 10 June 2003  
Priority Date: 10 June 2002  
Agent Docket No.: 2282-173

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION OF PETITION TO REVIVE**

Applicant respectfully requests reconsideration of its Petition to Revive, filed February 3, 2005, which was dismissed in the Decision on Petition Under 37 CFR 1.137(a), dated August 16, 2005.

The decision on the aforesaid Petition indicated that Applicant is required to provide more evidence of who considered the Application to be included in the list of patent applications that were to be abandoned and how the error was discovered, with declarations of people having first hand knowledge of the events.


Accordingly, Applicant encloses herewith a Declaration of Fay Ferreira, the person in the employ of Applicant who is responsible for managing the patents/patent applications of the Applicant. The Declaration provides an explanation, supported by exhibits, as to how this error occurred.

On October 17, 2005, Applicant filed a request for an extension of time, under 37 CFR 1.136, to file this Request for Reconsideration. Accordingly, Applicant believes this Request is timely submitted.

Respectfully submitted,

Dated: Nov. 15/05

By:

  
Clifford W. Vermette  
Reg. No. 30,018  
Attorney for Applicant

RECEIVED

28 NOV 2005  
Legal Staff  
International Division

Vermette & Co.  
Box 40 Granville Square  
230 - 200 Granville Street  
Vancouver, British Columbia  
Canada V6C 1S4  
Tel: (604) 331 - 0381  
Fax: (604) 331 - 0382



IN THE UNITED STATES PATENT AND TRADEMARK OFFICES

Present Application of: Paukov, Ladislav  
Application No.: 10/523,109  
PCT Appln. No.: PCT/CA03/00927  
Int. Filing Date: 10 June 2003  
Priority Date: 10 June 2002  
Agent Docket No.: 2282-173

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Alexandria, VA 22313-1450

**DECLARATION**

I, Fay Ferreira, administrative assistant of Englewood Ventures Inc., doing business as Global Plastics, (hereinafter, the "Company") hereby declare as follows:

1. I have been employed by the Company since on or about September 2002.
2. On or about June, 2003, the then Company president, Jed Friesen, reviewed the Company's patent and trademark files and, on a list of the files, marked the ones that he thought should be closed. A copy of this list, with his handwritten notes thereon, is annexed to this my Declaration and marked as Exhibit A. File 2282-167 on the list corresponds to the parent of the Present Patent Application, namely, PCT application number PCT/CA03/00927 for a BUNG FOR A PAPER ROLL. File 2282-167 was not included in the list of files to be abandoned. The then Company president, Jed Friesen, passed the list on to me for review and implementation.
3. On or about June 27, 2003, I prepared an email using the list in Exhibit A, indicating which patent and trademark files were to be closed and which files were to be kept open. I sent the email to our patent and trademark agents, Vermette & Co. A copy of the email is annexed to this my Declaration and marked as Exhibit B. File 2282-167, corresponding to the parent of the Present Patent Application, was not included in the email.

4. On or about November, 2003 Kevin Shoesmith was hired to take over management of the patent and trademark files of the Company.

5. On or about June 10, 2004, the said Kevin Shoesmith sent an email to Kim Smith, a paralegal at Vermette & Co., patent agents for the Company, instructing them to abandon all but a select group of files listed in the email. The file for the parent of the Present Patent Application, namely, File No. 2282-167, was not on this list of files. A copy of the email is annexed to this my Declaration and marked as Exhibit C. Unfortunately, a copy of this email was not sent to me or to any of the management of the Company. I believe that if the email had been sent to either myself or any other member of the management of the company, the error would have been noticed immediately. Mr. Shoesmith left the Company shortly thereafter, on July 7, 2004.

6. After Kevin Shoesmith's departure from the Company, the responsibility for managing the patent files of the Company fell to me. However, I already had a full workload, and therefore was not able to review the files promptly.

7. In December of 2004, Matt Friesen, an owner of the Company, asked me to review the Company's patent files. The unintentional omission of File 2282-167 from the list of files to be kept open came to my attention in late December 2004, when I was finally able to review the patent files.

8. On January 7, 2005, the Company contacted our agents, Vermette & Co., to inquire about the status of the Present Patent Application and the possibility of reinstating it. Steps were immediately taken to contact the inventor, Ladislav Paukov, in order to obtain his signature for a Declaration and Power of Attorney, so that the Present Patent Application could be filed. However, Mr. Paukov was no longer with the Company and there was some delay in contacting him.

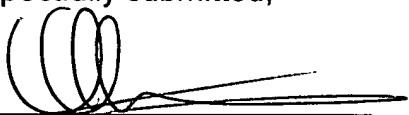
9. Mr. Paukov finally executed the Declaration and Power of Attorney on January 25, 2005, and the Present Patent Application was filed in the USPTO on February 3, 2005.

10. I hereby declare that the entire delay in filing the Present Patent Application was unintentional.

11. I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Dated: 11/14/05

By:   
Fay Ferreira  
Administrative Assistant for  
Englewood Ventures, d/b/a Global Plastics

This is Exhibit "A" referred to in the  
 Declaration of Fay Ferreira  
 sworn before me at .....  
 this ..... day of .....

## 2282. Patent description

March April May

1010	general	495.92	1,502.28	5,464.01
106	CDN Ind. Des. App. - Twin tissue disp.	119.57	555.30	85.82
107	CDN Ind. Des. App. - Paper towel disp. casing			
108	CDN Ind. Des. App. - Paper towel disp. lock		90.95	
109	CDN Ind. Des. App. - Paper towel disp. key	41.20		
104	CDN Ind. Des. App. - Paper towel holder		141.09	87.86
105	CDN Patent - Paper roll dispenser (Scott)		49.73	
106	CDN Patent - Twin tissue dispenser (Scott)		1,014.87	
107	CDN Patent - cutting blade	32.10	49.73	157.80
109	US des. patent - Twin Tissue Disp.			160.61
110	US des. patent - Paper towel disp. casing			
111	US des. patent - Paper towel disp. lock			477.86
112	US des. patent - Paper towel disp. key			
113	US des. patent - Paper towel holder			
114	Bung for paper roll (Scott)	545.70		14.98
115	METALLICS - US Trademark application		1,044.56	
116	METALLICS - CDN Trademark application			
117	HYGENICS - CDN Trademark application			
118	HYGENICS - US Trademark application		151.92	49.73
119	Paper Towel Dispenser - US application	90.95		
120	METALLICS - Community /mark UK app.	155.11	93.92	
121	HYGENICS - Community /mark UK app.		2,984.67	116.59
122	GLOBAL - CDN trademark application	190.10		
123	GLOBAL - US trademark application		263.22	19.26
124	GLOBAL - UK trademark application		2,965.41	119.00
125	METALLICS - CDN trademark application(2)			
126	Paper Towel Holder (Bay West)		51.34	
127	Paper Towel Holder (roll holder) - Bay West	508.26		348.82
128	HANDS FREE - CDN trademark application	179.51	87.74	8,554.99
129	paper towel dispensing (apparatus & method)			
131	dual toilet roll dispenser - US			
132	centre pull dispenser			
133	centre pull dispenser - New PCT application			
134	dual toilet roll dispenser - Australian application			49.73
135	dual toilet roll dispenser - Brazilian application	2,998.76		
136	dual toilet roll dispenser - German application			
137	dual toilet roll dispenser - Mexican application			
138	dual toilet roll dispenser - Singapore application			
139	dual toilet roll dispenser - UK application			48.15
140	dual toilet roll dispenser - Hong Kong application			70.62
141	dual toilet roll dispenser - Japanese application	49.73		
142	dual toilet roll dispenser - Italy application	5,511.00	2,655.68	
143	dual toilet roll dispenser - Sweden application			
144	Twin tissue dispenser - Australian Application	86.67	1,958.19	50.27
145	Twin tissue dispenser - Brazilian Application	86.67	229.59	3,009.45
146	Twin tissue dispenser - Mexican Application	86.67	202.02	
147	Twin tissue dispenser - Singapore Application	86.67	1,209.29	49.73
148	Twin tissue dispenser - UK Application	86.67	1,878.03	48.15
149	Twin tissue dispenser - Hong Kong Application	86.67		
150	Twin tissue dispenser - Japanese Application	86.67	203.78	4,349.31
151	Twin tissue dispenser - Italy Application	86.67	246.34	60.66
152	Twin tissue dispenser - Sweden Application	86.67	138.49	1,714.24
153	Twin tissue dispenser - Germany Application	86.67	1,653.89	1,234.48
154	Centre pull sheet dispenser - Australia application	241.29	1,886.22	49.73
155	Centre pull sheet dispenser - Brazil application	241.29	103.41	3,633.74
156	Centre pull sheet dispenser - Mexico application	241.29	53.56	48.15
157	Centre pull sheet dispenser - Singapore application	241.29		209.72
158	Centre pull sheet dispenser - UK application	241.29	868.60	48.15
159	Centre pull sheet dispenser - Hong Kong application			193.44
160	Centre pull sheet dispenser - Japan application	241.29		4,170.04
161	Centre pull sheet dispenser - Italy application	241.29	94.22	29.96
162	Centre pull sheet dispenser - Sweden application	241.29	64.60	2,169.04
163	Centre pull sheet dispenser - Germany application	241.29	53.56	3,432.89
164	CDN patent - Reinforcing rod end cap		1,263.87	1,263.87
165	CDN patent - Chair for reinforcing rod		1,066.79	1,066.79
167	Int. PCT Patent appl. - bung for paper roll		337.05	337.05

13,956.21 27,174.64 37,985.01

A Commissioner for taking Affidavits  
 for British Columbia

→ why is this referred to as Scott

} same as these ones

completed? Yes Complete

Abandon Patent Complete  
 Abandon Patent Complete

File 105 references

everything important  
 in 126 & 127

\* 105 is important

126 & 127 are redundant  
 as all relevant information  
 in 126 & 127 is covered  
 in 105.

**Fay Ferreira**

From: "Fay Ferreira" <fayf@globalplastics.com>  
 To: "Kim D. Smith" <ksmith@vermetteco.com>  
 Sent: Thursday, July 03, 2003 3:40 PM  
 Subject: Re: Urgent  
 Thank you Kim

This is Exhibit B "referred to in the  
 declaration of Fay Ferreira  
 sworn before me at .....  
 this ..... day of .....

----- Original Message -----

From: Kim D. Smith  
 To: Fay Ferreira  
 Sent: Thursday, July 03, 2003 3:10 PM  
 Subject: RE: Urgent

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 A Commissioner for taking Affidavits  
 for British Columbia

Hi Fay,

Just to keep you updated, I have now made my way through the files to be cancelled, they have been closed in our office, and I have advised all of the respective International Associates to close their files and incur no further expenses.

I will continue with the next part of the email tomorrow.

Talk to you soon,  
 Kim

-----Original Message-----

From: Fay Ferreira [mailto:fayf@globalplastics.com]  
 Sent: Friday, June 27, 2003 4:19 PM  
 To: Kim Smith  
 Cc: Jed Friesen; Ian Reilly  
 Subject: Urgent  
 Importance: High

Dear Kim

Jed has gone through (very briefly) the broad picture of the patents we have and has made a decision to cancel a lot them. There are also a few questions involved in some.  
 I am going to list below - any questions call me. If you need (or Cliff) to speak to us on Monday please ask for Ian as I will not be in.

TO BE CANCELLED - Immediately

2282 - 100 ✓  
 2282 - 101 ✓  
 2282 - 102 ✓  
 2282 - 103 ✓  
 2282 - 104 ✓  
 2282 - 106  
 2282 - 107  
 2282 - 109  
 2282 - 110  
 2282 - 111  
 2282 - 112  
 2282 - 113  
 2282 - 119  
 2282 - 131  
 2282 - 133  
 2282 - 135  
 2282 - 137

**BEST AVAILABLE COPY**

9/19/03

2282 - 138  
2282 - 139  
2282 - 140  
2282 - 141  
2282 - 142  
2282 - 144  
2282 - 147  
2282 - 150  
2282 - 152  
2282 - 157  
2282 - 158  
2282 - 160  
2282 - 162  
2282 - 165  
2282 - 166

Please confirm whether 2282 - 128 & 2282 - 129 are completed and whether anymore costs can be expected against these?

It appears as if 2282-105 references everything important in 2282-126 & 2282-127. 105 is important and make 126 & 127 redundant, as all information is covered in 105. It appears to be duplication. Costs associated with 126 & 127 need to be reviewed/reversed ?

The following have been left open, pending further info: We have incurred substantial costs already and would like a rough estimate of what further costs can be anticipated. We shall decide their fate based on this .

2282 - 136  
2282 - 143  
2282 - 145  
2282 - 146  
2282 - 148  
2282 - 149  
2282 - 151  
2282 - 153  
2282 - 154  
2282 - 155  
2282 - 156  
2282 - 159  
2282 - 161  
2282 - 163  
2282 - 164

Lastly - we wish to cancel our previous instruction to automatically proceed and file in other countries.  
Best regards  
Fay

**BEST AVAILABLE COPY**

9/19/03

2282-167

Kim D. Smith

From: Kevin Shoesmith [kevins@globalplastics.com]  
Sent: Thursday, June 10, 2004 8:39 AM  
To: Kim Smith  
Subject: Global Plastics - Open Files Review

This is Exhibit "C" referred to in the  
Declaration of Fay Ferreira  
sworn before me at  
this day of

Hello Kim -

We're taking an aggressive line on reducing some of the  
excesses in the area of patents and trademarks. That  
means that we've decided to close or abandon ALL but  
the most important applications.

Here is a list of what we are keeping OPEN/active:

1882-120 Spacer for Glass Blocks (US Application)  
1882-122 Spacer for Glass Blocks (CDN Application)

2282-122 GLOBAL Trademark Application (CDN)  
2282-123 GLOBAL Trademark Application (US)  
2282-126 Paper Towel Holder - Bay West (US)  
2282-134 Dual Toilet Roll Dispenser (PCT)

Any new files that we've initiated with Taranjit and  
Mark are also to be kept open.

Please call if you have any questions concerning this  
or anything else.

Thanks and regards,

Kevin Shoesmith - Document Controller  
Global Plastics  
kevins@globalplastics.com  
604-514-0600

A Commissioner for taking Affidavits  
for British Columbia

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